

COUNTY DIVISION 4

PLAINTIFF

Name Robert Holland
Address 5620 SOHL AVENUE, Apt. 103
City Hammond
State IN Zip Code 46320
Phone # (219) 944-2323 Cell # (219) 292-1192
Email: robert.holland.934@gmail.com

Lake Superior Court
Clerk's Office
Small Claims Division
232 Russell Street
Hammond, IN 46320
219-933-2857

CAUSE NUMBER:
45D12-2301-SC-000081

Filed in Clerk's Office

January 5, 2023

CLERK LAKE SUPERIOR COURT

DEFENDANT #1

SANTANDER Consumer USA, Inc.
President
Name MAHESH ADITYA, AND CEO
Address 1601 Elm Street, Suite 800

DEFENDANT #2

(Unknown)
Name Towing Company
Address _____

City Dallas
State TEXAS Zip Code 75201-4701
Phone # _____ Cell # _____
Email: _____

City _____
State _____ Zip Code _____
Phone # _____ Cell # _____
Email: _____

TO THE DEFENDANT:

You have been sued by the Plaintiff whose name appears above. YOU ARE HEREBY NOTIFIED that the trial of this claim is set for the 10th day of FEBRUARY, 2023 at 8:45 (am)pm. If you fail to appear in the LAKE SUPERIOR COURT SMALL CLAIMS DIVISION 4, 232 Russell Street, Hammond IN 46320 Courtroom 4, at the date and time set for trial, a default judgment may be entered against you. ALL PARTIES MUST BRING THREE (3) COPIES OF ALL DOCUMENTS THEY INTEND TO SUBMIT AS EVIDENCE TO THE JUDGE.

A brief statement of the nature of Plaintiff's claim against you is as follows:

Bad Faith Breach of Car Contract, predatory Lending
FCBA violations, taking of property in Indiana
towing of vehicle and violation of Indiana
Defective Statute and 26-2-10 et seq causing loss of credit
SEE ATTACHED "Settlement Offer"
Threat

Exhibits Attached: Account Contract Other Negligence Lease
(LANDLORD'S MUST ATTACH A COPY OF THE LEASE TO THIS DOCUMENT, IF ONE EXISTS, AND PROVIDE TO THE CLERK 1 ADDITIONAL COPY OF THE LEASE FOR EVERY PERSON SUED AT THE TIME SUIT IS FILED)

The Plaintiff demands judgment against the Defendant(s) for \$ 10,000.00 + costs of this action, interest allowed by law and all other proper relief.

Robert Holland
Signature of Plaintiff(s)

SERVICE INFORMATION

CERTIFIED MAIL DATE January 5, 2023
SHERIFF

CLERK Michael A. Brown
BY DEPUTY _____



YOU ALWAYS HAVE THE RIGHT TO SEE THE JUDGE

NOTICE TO THE PARTIES

You may appear in person or by an Attorney. If the Defendant does not want to dispute Plaintiff's claim, the Defendant may nevertheless appear at said time and place for the purpose of allowing the Court to establish the method by which the Judgment shall be paid. If the Defendant does not appear as scheduled on the reverse side, judgment by default may be entered against the Defendant and Defendant's earnings or property may be attached. If a Defendant has a counter-claim against the Plaintiff arising from the same transaction or occurrence, the Defendant may assert it in writing and deliver it to the Clerk no later than ten (10) days before the scheduled trial date. Failure to file such counter-claim within this time will give the Plaintiff the right to request a continuance. If a counter-claim exceeds the sum of Ten Thousand (\$10,000.00) Dollars, a Defendant may waive the excess and proceed to trial. However, a Defendant cannot sue for the balance at a later time. At the trial, both parties should present all receipts, documents and witnesses that support the claim, defense or counterclaim: **ALL PARTIES SHALL BRING 3 (THREE) COPIES OF ALL DOCUMENTS THEY INTEND TO SUBMIT AS EVIDENCE TO THE JUDGE; ONE FOR THEMSELVES, ONE FOR THE COURT, ONE FOR THE DEFENDANT.**

IF THE PLAINTIFF OR DEFENDANT IS A CORPORATION OR LLC, IT MUST BE REPRESENTED BY AN ATTORNEY AT LAW, unless the Plaintiff's claim is under SIX THOUSAND (\$6,000.00) Dollars. If so, the corporate representative selected to represent the corporation must be a full-time corporate employee authorized by a written resolution of the Board of Directors of the Corporation. In addition, thereto, such corporate representative must file an affidavit with the Clerk of the Court that he or she is not a disbarred attorney or the representative of a collection agency. **IF THE PLAINTIFF OR DEFENDANT IS A SOLE PROPRIETORSHIP OR PARTNERSHIP AND THE CLAIM IS OVER SIX THOUSAND DOLLARS (\$6,000.00), THE OWNER/PARTNER MUST APPEAR IN PERSON OR HIRE AN ATTORNEY AT LAW.** If the claim is less than Six Thousand Dollars (\$6,000.00), the owner/partner may designate a full-time employee to appear on their behalf; the designated employee must have a written and signed authorization from the owner/partner. Furthermore, the representative must file an affidavit with the Clerk of the Court that he or she is not a disbarred attorney or the representative of a collection agency.

By filing a claim in the small claims court, Plaintiffs waive their right to trial by jury. If a Defendant desires trial by jury, a Defendant must file with the Clerk of the Court an affidavit which states that there are questions of fact requiring a trial by jury, and which specifies what those facts are and also states that your jury demand is intended in good faith. This paperwork must be filed within ten (10) days following Defendant's receipt of this Notice of Claim. Defendant's failure to timely file this paperwork with the Clerk may result in the request for a jury trial being denied. Furthermore, in order to obtain a trial by jury, the Defendant must pay a Seventy Dollar (\$70.00) transfer fee.

All out of Court settlements should be in writing and signed by all parties and filed with the Clerk of this Court.

If you cannot appear at the scheduled time for the trial and want to request a continuance, you must submit, **IN WRITING**, the reasons why you cannot come to Court; this request needs to be sent to the Clerk of this Court; the Clerk must receive this request not less than five (5) days before the trial date. The Clerk's address is listed on the front of this form. Continuances will only be granted upon the showing of good cause.

Unless the corporation, sole proprietorship/partnership or collection agency exceptions apply, you do not need an attorney to represent you. The trial will be conducted in an informal manner.

SERVICE INFORMATION

SHERIFF'S RETURN:

Come to hand _____, 20 _____. 1. Served by delivering a true copy to the within named _____. 2. Served by leaving a true copy at the last and usual place of residence of _____. 3. The within named _____ is not found in my bailiwick. This the _____ day of _____, 20 _____.

SHERIFF BY: _____



P.O. Box 9118 Temecula, CA 92589-9118



3390095667 PRESORT PBPS134



ROBERT HOLLAND III
5014 W 17TH AVE
GARY IN 46406-2328

08/16/2022

Limited Time Settlement Offer Available

Account Ending In: 5670

Dear ROBERT HOLLAND III,

Our records show that you have a total balance due of \$2,920.73.

However, we are willing to accept only \$876.22 to settle your account in full if you act now.

This offer is only available until 10/15/2022, so contact us today! Even if you are unable to take advantage of this offer, you can still contact our office to see what terms can be worked out to resolve your account.

You Must Act Quickly!

Call us at **866-552-1440** before time expires! We are available Monday through Thursday 8:00AM to 8:00PM CT or Friday 8:00AM to 5:00PM CT.

If you fail to call our office by the date above, Santander Consumer USA will consider this settlement offer automatically revoked and null and void without further notice.

This settlement may have tax implications. Please consult a tax advisor to determine the impact on your specific tax situation. Santander Consumer cannot provide tax advice to you.

Sincerely,
Santander Consumer USA

Handwritten notes:
I.e. 26-10-2022
Predatory Lending
FDCPA violations
RESP - breach of contract
Legal action
Indemnification Statute violation
Property in car
Personal Injury / Negligence
F.C.D.A. violations
short notice
No notice of rights
deadlines and fees
Improper results
(lack of notices)
(results not proven)

THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

NOTICE: TO THE EXTENT YOUR ORIGINAL OBLIGATION WAS DISCHARGED, OR IS SUBJECT TO AN AUTOMATIC STAY OF BANKRUPTCY UNDER TITLE 11 OF THE UNITED STATES CODE, THIS IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN ATTEMPT TO COLLECT A DEBT OR TO IMPOSE PERSONAL LIABILITY FOR SUCH OBLIGATION.

P.O. Box 961245, Fort Worth, TX 76161-1245 • www.SantanderConsumerUSA.com • 888.222.4227

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